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FACSIMILE TRANSMITTAL

TO:

Name: Mail Stop AF
Group Art Unit 3731/Examiner Ryan Severson

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 09/626,636

Gary Karlin Michelson

Filed: July 27, 2000

A GUARD FOR USE IN PERFORMING

HUMAN INTERBODY SPINAL SURGERY

Attorney Docket No. 102.0003-04000

Customer No. 22882

Confirmation No. 6124

FROM:

Name: Thomas H. Martin, Esq.

Phone No.: 330-877-2277

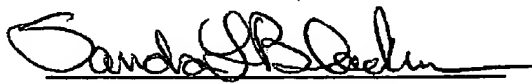
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I hereby certify that the attached Transmittal Form (in duplicate) and Reply to Final Office Action are being facsimile transmitted to the U.S. Patent and Trademark Office on November 6, 2008.


Sandra L. Blackmon

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FORM PTO-1083

Attorney Docket No.: 102.0003-04000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary Karlin Michelson, M.D.

Serial No: 09/626,636

Filed: July 27, 2000

For: A GUARD FOR USE IN
PERFORMING HUMAN INTERBODY
SPINAL SURGERY

Confirmation No. 6124

Art Unit: 3731


Examiner: Ryan J. Severson

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Reply to the Final Office Action dated August 6, 2008 in the above-identified application.

- ☒ No additional fee is required.
- ☐ Applicant hereby requests a ***-month extension of time to respond to the above Office Action.
- ☐ The total amount of \$*** to the cover the above fee is to be charged to Deposit Account No. 50-3726.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. **A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,
MARTIN & FERRARO, LLPDate: November 6, 2008By: 
Thomas H. Martin
Registration No. 34,3831557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: 330-877-0700
Facsimile: 330-877-2030

Transmittal of Reply to O.A.DOC

FORM PTO-1083

Attorney Docket No.: 102.0003-04000
Customer No. 22882

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Transmittal of Reply to OADOC

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**RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3731**

PATENT
Attorney Docket No. 102.0003-04000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Confirmation No. 6124
Gary Karlin Michelson, M.D.)
Serial No.: 09/626,636) Group Art Unit: 3731
Filed: July 27, 2000) Examiner: Ryan J. Severson
For: A GUARD FOR USE IN)
PERFORMING HUMAN)
INTERBODY SPINAL SURGERY)

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TO FINAL OFFICE ACTION

In reply to the Final Office Action of August 6, 2008, and pursuant to 37 C.F.R. § 1.116, the following remarks are submitted:

Remarks begin on page 2 of this paper.

Reply to Final Office Action 11-06-08.doc